

CHAPTER 6

REGULATIONS WITH REGARD TO STREETS, SIDEWALKS AND OTHER PUBLIC RIGHTS OF WAY¹

- 6.01 Regulating The Installation Of Mailboxes On Street Right Of Way
- 6.02 Excavations
- 6.03 Traffic Control Signs
- 6.04 Abandonment of Utility Facilities

6.01 Regulating The Installation Of Mailboxes On Street Right Of Way

- (1) No person shall hereafter install any mailbox on the public right of way (that is along the public streets, alleys or high-ways) of the Village of Oostburg unless said installation shall comply with the following conditions:
 - (a) Mailboxes shall be supplied by the property owner.
 - (i) Such mailboxes shall be of the type approved by the United States Postal Service.
 - (ii) Such mailboxes shall be installed in groups with a minimum of four mailboxes per group.
 - (iii) Mailboxes in each group shall be identical.
 - (b) Installation is the responsibility of the property owner and must be in accordance with United States Postal Department regulations and policies in effect at the time of installation and subject to review and approval by the Village Board.
 - (c) Placement of mailbox groups shall be:
 - (i) On the street and side which serves as the mail route established by the local post office; and
 - (ii) The location shall be determined by the local post office; and
 - (iii) No mailbox group may be within 75 feet of the curb line of any intersection.
 - (d) Repair or replacement of any damaged mailbox shall be the responsibility of the property owner and shall comply with the above.
- (2) Any person, firm, or corporation violating the terms of this Ordinance shall pay a forfeiture of not less than \$25.00 nor more than \$100.00.

6.02 Excavations ²

- (1) Purpose. This section sets forth the permit requirements for installation of utility mains, services, and laterals or any excavations for whatever purpose in, across, or under streets, sidewalks, or alley rights-of-way in the Village.
- (2) Permit - Required. Except as herein permitted, no person, firm, corporation, or utility shall make or cause to be made any excavation in, across, or under any Village street,

¹ Added through Ordinance 4-1992 Adopted December 14, 1992, Published December 15, 1992. See Minutes of the Village Board Vol. 9, pg. 992, 992b-c.

² Added through Ordinance 1-1996, Adopted February 12, 1996, See Minutes of the Village Board Vol. 11, pg. 1101.

alley, or sidewalk or within a public right-of-way without first obtaining from the Village Clerk/Treasurer a written permit for the making of such excavation.

- (3) Permit - Application - Contents - Fee. The application for the permit provided for in Section (2) shall state the purpose for which the permit is desired, the location of the proposed excavation, and the name of the individual or firm to be making the opening and shall contain an agreement that the applicant will pay all damages to persons or property, public or private, including any costs incurred by the Village in defending any action brought against it for damages as well as the cost of any appeal that may result from the improper conduct of the applicant or the applicant's agents, contractors, subcontractors, or employees in connection with the excavation. The applicant shall be responsible for the cost of any repairs occasioned by settling or the like for a period of one (1) year after final resurfacing.

A fee of \$100.00 shall be paid to the Village Clerk at the time the application is filed to help defray administrative costs. No fee or security deposit shall be required for permits to do work that is limited to residential driveways or walkways, or excavations done pursuant to orders of the Village.

- (4) Permit - Application - Security.

A. The applicant shall be required, as a condition to the granting of a permit for the excavation and installation of a lateral, service, main, or other excavation on public property, to file a cash deposit (to be refunded following proper back filling and resurfacing) or surety bond in the following amounts which have been determined as necessary to guarantee that the contractor will leave the street, sidewalk, or alley in as good condition as the same was in when the work was commenced:

<u>Type of Material</u>	<u>(Perpendicular) Lateral or Service</u>	<u>(Parallel) Main in Street Right-of-Way</u>
Portland Cement Concrete	\$1,500.00	\$30.00 per lineal foot
Bituminous Pavement (over Portland Cement Concrete)	1,000.00	20.00 per lineal foot
3" Bituminous Pavement	750.00	15.00 per lineal foot
Cold Mix	600.00	12.00 per lineal foot
Seal Coat	600.00	12.00 per lineal foot
Crushed Gravel	500.00	10.00 per lineal foot
Turf	400.00	8.00 per lineal foot
Portland Cement Concrete Sidewalk or Driveway	750.00	15.00 per lineal foot

B. The annual bond in the amount of \$10,000.00 may be submitted (in lieu of, but for the same purpose as, the periodic cash deposit or surety bond described above), which bond shall be applicable as to all excavation work in rights-of-way by the principal in such bond during the term of one (1) year from the date of said bond.

- (5) Permit - Application - Insurance. The permit applicant shall also be required to submit a certificate of insurance indicating public liability insurance with a solvent insurance company in the sum of at least One Million Dollars (\$1,000,000.00) for injury to one person and One Million Dollars (\$1,000,000.00) for one occurrence, and worker's compensation and/or employers' liability insurance for all employees employed at the site of the excavation. The applicant shall require each and every subcontractor to

obtain and maintain similar policies with the same limits as those stipulated in this subsection.

- (6) Regulations - Protection of Public. Every excavator shall enclose with sufficient barriers each opening which is made in the streets, sidewalks, or public ways of the Village. All machinery and equipment shall be locked or otherwise effectively safeguarded from unauthorized use when not being used by the permittee, his agents, or employees. Amber lights or torch lamps are to be placed at each end of the opening in the street or way and other lights sufficient in number and properly spaced to give adequate warning. Except by special permission from the Village Public Works Superintendent, no trench shall be excavated more than two hundred fifty (250) feet in advance of pipelaying nor left unfilled more than five hundred feet (500) feet where pipe has been laid. All necessary precautions shall be taken to guard the public effectually from accidents or damage to persons or property through the period of the work.
- (7) Regulations - Frozen Ground. No opening for any purpose shall be permitted when the ground is frozen except where necessary as determined by the Village Public Works Superintendent.
- (8) Regulations - Removal of Paving. In opening any street or sidewalk or other public way, all paving or ballasting materials shall be removed with the least possible loss of or injury to surfacing material and together with the excavated material from trenches shall be placed so as to cause the least practicable inconvenience to the public and permit free flow of water along gutters.
- (9) Regulations - Replacing Street Surface.
 - A. In making any opening, the paving materials, sand, gravel, and earth or other material moved or penetrated must be removed and replaced as nearly as possible to their original condition and in accord with the regulations set forth herein. In the event surface monuments or bench marks are moved, they shall be restored as nearly as possible to their original position by a registered Wisconsin land surveyor whose fee shall be paid by the permittee. Where grades are necessary to accomplish restoration, the Village Engineer shall set same and his fee shall be paid by the permittee. Any excavated material which in the opinion of the Village Public Works Superintendent is not suitable for refilling shall be replaced with approved backfill material. All trench backfill under pavement, driveways, shoulders, and sidewalk shall be of thoroughly compacted granular backfill. All rubbish shall be immediately removed, leaving the street, sidewalk, or public way in perfect repair, and the same shall be so maintained for a period of one (1) year. In refilling the opening, the granular material must be puddled or laid in layers not more than six (6) inches deep and each layer rammed, tamped, or flushed to prevent caving.
 - B. At the time final surface repairs are to be made, all excavations shall be saw-cut or straight-edge-cut at existing pavement [bituminous pavement to the full depth of the surface course or a minimum depth of three (3) inches; concrete pavement to the full depth of the surface course or a minimum depth of two (2) inches] at a minimum distance of one (1) foot back from the edge of the excavation on all sides; provided, however, that in the case of sidewalk or curb excavations, all material shall be removed to the nearest construction joints. The edges of said cuts shall be parallel with each other, and whenever possible, parallel and perpendicular to the street or public right-of-way. All street openings shall have at least twelve (12) inches of compacted crushed road gravel placed at the top of the opening with the surface to be restored as follows:

<u>Original Type of Surface</u>	<u>Restoration Material</u>
Concrete Pavement	Original type of surface material

Bituminous Pavement	Original type of surface material
Seal Coat	Hot mix patch of not less than two (2) inches
All other	Original type of surface material

- (10) Regulations - Restoration Time Limits. All trenches shall be backfilled within twenty-four (24) hours after being opened. The surface shall not be restored for a minimum of three (3) weeks following backfilling to allow for settling. Unless otherwise permitted by the Village Public Works Superintendent, the surface shall be replaced within three (3) weeks following the initial three-week settling period. During the interim between backfilling and resurfacing, the applicant shall maintain the street at level grade. In appropriate seasons, reseeding shall take place at the time of resurfacing, otherwise to be accomplished as soon as weather conditions are suitable. Reseeding shall be accomplished in accordance with those standards set forth in Section 630, State of Wisconsin Department of Transportation Division of Highways Standard Specifications for Road and Bridge Construction (the most recent edition). The Village reserves the option to complete restoration of any excavation if the above-mentioned time limits are exceeded, using all or any portion of the cash deposit and assessing any balance to the applicant.
- (11) Regulations - Inspection. It shall be the applicant's responsibility to notify the Village Public Works Superintendent prior to the time backfilling and resurfacing are to be accomplished so that the latter may observe and inspect the work in each case. In the event no such notification is made, the said Superintendent shall require all uninspected material to be removed at the sole cost of the permittee. The actual cost of any and all inspection work (including time spent when uninspected work must be removed) shall be charged to the permittee and, where possible, deducted from the cash deposit at time of refunding, per subsection (4) hereof.
- (12) Emergency Openings. When an emergency arises, a utility may make an opening so as to effect the needed repairs prior to the issuance of the permit under this Section. In such an event, said utility shall file its application the following day. During such excavation work, it shall be held amenable to the regulations specified in subsections (6) through (11).
- (13) Village Work Excluded. The provisions of this Section shall not apply to excavation work done by Village employees.

6.03 Traffic Control Signs^{3 4}

In the interest of the public health, safety, and welfare, stop signs shall be placed at the following intersections:

- (1) On the southeast corner of the intersection of North Sixth Street and County Road KK;
- (2) On the northeast corner of the intersection of Ohio Avenue and North Sixth Street;
- (3) On the southwest corner of the intersection of Ohio Avenue and North Sixth Street;
- (4) On the southwest corner of the intersection of North Seventh Street and North Sixth Street;

³ Added through the adoption of Ordinance 12-1998 on December 14, 1998. See minutes of the Village Board, Vol. 12, pg. 1169.

⁴ Amended through the adoption of Ordinance 12-2001 on November 12, 2001. Numbers 113 through 123 added. See minutes of the Village Board, Vol. 13, pg. .

- (5) On the northeast corner of the intersection of Washington Circle and North Sixth Street;
- (6) On the southwest corner of the intersection of Indiana Avenue and North Sixth Street;
- (7) On the northeast corner of the intersection of Wisconsin Avenue and North Sixth Street;
- (8) On the southwest corner of the intersection of Wisconsin Avenue and North Sixth Street;
- (9) On the southeast corner of the intersection of North Eighth Street and County Road KK;
- (10) On the northeast corner of the intersection of North Eighth Street and Ohio Avenue;
- (11) On the southwest corner of the intersection of Anthony Circle and North Eighth Street;
- (12) On the northeast corner of the intersection of Indiana Avenue and North Eighth Street;
- (13) On the southwest corner of the intersection of Indiana Avenue and North Seventh Street;
- (14) On the northeast corner of the intersection of Indiana Avenue and North Seventh Street;
- (15) On the northwest corner of the intersection of North Ninth Street and Wisconsin Avenue;
- (16) On the southwest corner of the intersection of North Ninth Street and Wisconsin Avenue;
- (17) On the southeast corner of the intersection of North Ninth Street and Wisconsin Avenue;
- (18) On the northeast corner of the intersection of North Ninth Street and Wisconsin Avenue;
- (19) On the southeast corner of the intersection of North Eighth Street and Wisconsin Avenue;
- (20) On the northwest corner of the intersection of North Eighth Street and Wisconsin Avenue;
- (21) On the northeast corner of the intersection of North Ninth Street and Illinois Avenue;
- (22) On the southwest corner of the intersection of North Eighth Street and Illinois Avenue;
- (23) On the northeast corner of the intersection of North Ninth Street and Park Avenue;
- (24) On the northwest corner of the intersection of North Eighth Street and Park Avenue;
- (25) On the northeast corner of the intersection of North Ninth Street and New York Ave;
- (26) On the southwest corner of the intersection of North Seventh Street and New York Avenue;
- (27) On the southeast corner of the intersection of North Seventh Street and New York Avenue;
- (28) On the northeast corner of the intersection of North Seventh Street and New York Avenue;
- (29) On the southwest corner of the intersection of North Sixth Street and New York Avenue;
- (30) On the northeast corner of the intersection of North Sixth Street and New York Avenue;
- (31) On the northwest corner of the intersection of North Ninth Street and Center Avenue;
- (32) On the northwest corner of the intersection of North Seventh Street and Center Avenue;
- (33) On the northwest corner of the intersection of North Sixth Street and Center Avenue;
- (34) On the northwest corner of the intersection of North Fourth Street and Center Avenue;
- (35) On the southeast corner of the intersection of South Tenth Street and Center Avenue;

- (36) On the northeast corner of the intersection of South Tenth Street and Superior Avenue;
- (37) On the northeast corner of the intersection of South Tenth Street and Michigan Avenue;
- (38) On the northeast corner of the intersection of South Tenth Street and DeMaster Road;
- (39) On the southeast corner of the intersection of South Ninth Street and Center Avenue;
- (40) On the southwest corner of the intersection of South Ninth Street and Superior Avenue;
- (41) On the northeast corner of the intersection of South Ninth Street and Superior Avenue;
- (42) On the southwest corner of the intersection of South Ninth Street and Michigan Avenue;
- (43) On the northeast corner of the intersection of South Ninth Street and Michigan Avenue;
- (44) On the northeast corner of the intersection of South Ninth Street and Huron Avenue;
- (45) On the northeast corner of the intersection of South Ninth Street and Ontario Avenue;
- (46) On the southeast corner of the intersection of South Eighth Street and Center Avenue;
- (47) On the southwest corner of the intersection of South Eighth Street and Superior Avenue;
- (48) On the northeast corner of the intersection of South Eighth Street and Superior Avenue;
- (49) On the southwest corner of the intersection of South Eighth Street and Michigan Avenue;
- (50) On the northeast corner of the intersection of South Eighth Street and Michigan Avenue;
- (51) On the northeast corner of the intersection of South Eighth Street and Erie Avenue;
- (52) On the southwest corner of the intersection of South Eighth Street and Huron Avenue;
- (53) On the northeast corner of the intersection of South Eighth Street and Huron Avenue;
- (54) On the southwest corner of the intersection of South Eighth Street and Ontario Avenue;
- (55) On the northeast corner of the intersection of South Eighth Street and Ontario Avenue;
- (56) On the northeast corner of the intersection of South Eighth Street and a Private Alley;
- (57) On the southeast corner of the intersection of South Seventh Street and Center Avenue;
- (58) On the southwest corner of the intersection of South Seventh Street and a Private Alley;
- (59) On the northeast corner of the intersection of South Seventh Street and a Private Alley;
- (60) On the southwest corner of the intersection of South Seventh Street and Superior Avenue;
- (61) On the southwest corner of the intersection of South Seventh Street and Michigan Avenue;
- (62) On the northeast corner of the intersection of South Seventh Street and Michigan Avenue;
- (63) On the southwest corner of the intersection of South Seventh Street and Erie Avenue;
- (64) On the northeast corner of the intersection of South Seventh Street and Erie Avenue;
- (65) On the southwest corner of the intersection South Seventh Street and Huron Avenue;
- (66) On the northeast corner of the intersection of South Seventh Street and Huron Avenue;
- (67) On the southwest corner of the intersection South Seventh Street and Ontario Avenue;
- (68) On the northeast corner of the intersection of South Seventh Street and Ontario Avenue;
- (69) On the northeast corner of the intersection of South Seventh Street and Aspen Avenue;

- (70) On the southeast corner of the intersection South Sixth Street and Center Avenue;
- (71) On the southwest corner of the intersection of South Sixth Street and a Private Alley;
- (72) On the southwest corner of the intersection of South Sixth Street and Michigan Avenue;
- (73) On the southwest corner of the intersection of South Sixth Street and Erie Avenue;
- (74) On the northeast corner of the intersection of South Sixth Street and Erie Avenue;
- (75) On the southwest corner of the intersection of South Sixth Street and Huron Avenue;
- (76) On the northeast corner of the intersection of South Sixth Street and Huron Avenue;
- (77) On the southwest corner of the intersection of South Sixth Street and Ontario Avenue;
- (78) On the northeast corner of the intersection of South Sixth Street and Ontario Avenue;
- (79) On the southwest corner of the intersection of South Sixth Street and Aspen Avenue;
- (80) On the northeast corner of the intersection of South Sixth Street and Aspen Avenue;
- (81) On the northwest corner of the intersection of County Road AA and Sauk Trail Road;
- (82) On the southeast corner of the intersection of County Road AA and Sauk Trail Road;
- (83) On the northeast corner of the intersection of Sauk Trail Road and DeMaster Road;
- (84) On the northeast corner of the intersection of County Road KK and North Tenth Street (County Road A);
- (84.5) On the southwest (SW) corner of North 10th Street (CTH "A") and Minnesota Avenue (a/k/a CTH "KK")⁵
- (85) On the southwest corner of the intersection of and North Tenth Street (County Road A) and Wisconsin Avenue;
- (86) On the northeast corner of the intersection of North Tenth Street (County Road A) and Wisconsin Avenue;
- (87) On the southwest corner of the intersection of North Tenth Street (County Road A) and Park Avenue;
- (88) On the northwest corner of the intersection of North Tenth Street (County Road A) and Center Avenue;
- (89) On the southeast corner of the intersection of North Eleventh Street and Wisconsin Avenue;
- (90) On the southwest corner of the intersection of North Eleventh Street and Park Avenue;
- (91) On the northeast corner of the intersection of North Eleventh Street and Park Avenue;
- (92) On the northwest corner of the intersection of North Eleventh Street and Center Avenue (County Road A);
- (93) On the southwest corner of the intersection of North Twelfth Street and Wisconsin Avenue;
- (94) On the northeast corner of the intersection of North Twelfth Street and Wisconsin Avenue;
- (95) On the northeast corner of the intersection of North Twelfth Street and Park Avenue;
- (96) On the northwest corner of the intersection of North Twelfth Street and Center Avenue (County Road A);

⁵ Adopted August 13, 2007, Ordinance No. 3-2007.

- (97) On the northwest corner of the intersection of North Thirteenth Street and Wisconsin Avenue;
- (98) On the southwest corner of the intersection of North Fourteenth Street and Field Tree Lane;
- (99) On the northwest corner of the intersection of North Fourteenth Street and Wisconsin Avenue;
- (100) On the southeast corner of the intersection of North Fourteenth Street and Wisconsin Avenue;
- (101) On the southwest corner of the intersection of North Fourteenth Street and Park Avenue;
- (102) On the southwest corner of the intersection of North Fourteenth Street and Meadow Lane;
- (103) On the northwest corner of the intersection of North Fourteenth Street and Center Avenue (County Road A);
- (104) On the northwest corner of the intersection of North Fifteenth Street and Park Avenue;
- (105) On the northeast corner of the intersection of North Fifteenth Street and Meadow Lane;
- (106) On the northwest corner of the intersection of North Fifteenth Street and Center Avenue (County Road A);
- (107) On the southeast corner of the intersection of South Eleventh Street and Center Avenue (County Road A);
- (108) On the southwest corner of the intersection of South Eleventh Street and Superior Avenue;
- (109) On the southwest corner of the intersection of South Eleventh Street and Michigan Avenue;
- (110) On the southwest corner of the intersection of South Eleventh Street and Zuider Lane;
- (111) On the southeast corner of the intersection of South Twelfth Street and Center Avenue (County Road A);
- (112) On the southwest corner of the intersection of South Tenth Street and ~~DeMaster Road~~ South Avenue;
- (113) On the northeast corner of Park Place and North 14th Street;
- (114) On the northwest corner of ~~DeMaster Road~~ South Avenue and South 7th Street;
- (115) On the northwest corner of ~~DeMaster Road~~ South Avenue and South 6th Street;
- (116) On the southwest corner of Aspen Avenue and Maple Avenue;
- (117) On the southwest corner of South 7th Street and Maple Avenue;
- (118) On the northeast corner of South 7th Street and Maple Avenue;
- (119) On the southwest corner of South 6th Street and Maple Avenue;
- (120) On the northeast corner of South 6th Street and Maple Avenue;
- (121) On the southeast corner of South Business Park Drive and Center Avenue (CTH "AA");

- (121.5) On the northwest (NW) corner of North Business Park Drive and Center Avenue (a/k/a CTH “KK”)⁶
- (122) On the northeast corner of Enterprise Court and South Business Park Drive;
- (123) On the northeast corner of South Business Park Drive and ~~DeMaster Road~~ South Avenue;
- (124) On the southeast corner of South 1st Street and Center Avenue (CTH AA);⁷
- (125) On the northwest corner of South 1st Street and Michigan Avenue;
- (126) On the southwest corner of Superior Avenue and South 1st Street;
- (127) On the southwest corner of Michigan Avenue and South Sauk Trail Road;
- (128) On the southeast (SE) corner of South 2nd Street and Michigan Avenue;⁸
- (129) On the northwest (NW) corner of South 2nd Street and Michigan Avenue;
- (130) On the southeast (SE) corner of South 2nd Street and East Field Drive;
- (131) On the southeast (SE) corner of South 3rd Street and East Field Drive;
- (132) On the northwest (NW) corner of South 3rd Street and Michigan Avenue;
- (133) On the southeast (SE) corner of South 4th Street and Michigan Avenue;
- (134) On the northwest (NW) corner of East Field Drive and Michigan Avenue;
- (135) On the northeast corner of Michigan Avenue and South 6th Street;
- (136) On the southeast (SE) corner of Aspen Avenue and South 9th Street (on the northwest corner of 612 S 9th Street / 817 Aspen Avenue);
- (137) On the southwest (SW) corner of South 9th Street and Aspen Avenue;
- (138) On the northwest (NW) corner of South 9th Street and ~~DeMaster Road~~ South Avenue;
- (139) On the southeast (SE) corner of North 12th Street and Minnesota Avenue (a/k/a Holland Lima Road)
- (140) On the southeast (SE) corner of South 14th Street and Center Avenue
- (141) On the southeast (SE) corner of South 15th Street and Center Avenue⁹
- (142) On the southwest (SW) corner of South 15th Street and Michigan Avenue
- (143) On the northeast (NE) corner of South 15th Street and Michigan Avenue
- (144) On the southwest (SW) corner of South 14th Street and Michigan Avenue
- (145) On the northeast (NE) corner of South 14th Street and Michigan Avenue¹⁰
- (146) On the southeast (SE) corner of West Field Court and Michigan Avenue¹¹
- (147) On the Northeast (NE) corner of South 6th Street and Erie Avenue

⁶ Adopted August 13, 2007, Ordinance No. 3-2007

⁷ Numbers 124-127 added through Ordinance 2-2003, adopted on September 8, 2003. See minutes of the Village Board, Vol. 15, page 1330.

⁸ Numbers 128-138 added through Ordinance 2-2005, adopted on June 13, 2005. See minutes of the Village Board, Vol. 17, page 1398.

⁹ Numbers 139-141 added through Ordinance 3-2007, adopted on August 13, 2007.

¹⁰ Numbers 142-145 added through Ordinance 12-2008, adopted November 10, 2008.

¹¹ Number 164 added through Ordinance 3-2007, adopted on August 13, 2007

(148) On the Northwest (NW) corner of South 6th Street and Erie Avenue¹²

6.04 Abandonment of Utility Facilities¹³

- (1) Discontinued Operations. A utility which has determined to discontinue its operations or the use of any transmission and distribution facilities in the Village must either:
 - (A) Provide information satisfactory to the Village that the utility's obligations for its facilities under this Chapter have been lawfully assumed by another service provider; or
 - (B) Submit to the Village a proposal and instruments for dedication of its facilities to the Village. If a registrant proceeds under this clause, the Village may, at its option:
 - (1) accept the dedication for all or a portion of the facilities; or
 - (2) require the utility, at its own expense, to remove the facilities in the right-of-way at ground or above ground level; or
 - (3) require the utility to post a bond or provide payment sufficient to reimburse the Village for reasonably anticipated costs to be incurred in removing the facilities. However, any utility who has unusable and abandoned facilities in any rightof-way shall remove it from that right-of-way within two years, unless the Village waives this requirement.
- (2) Abandoned Facilities.
 - (A) A utility which intends to abandon transmission or distribution facilities must notify the Village of such intent, and also, at its expense, provide the Village with a map depicting the location of any facility within the Village that the utility intends to abandon.
 - (B) Facilities of a utility which fails to comply with Section 6.04(1)(a), and which, for two (2) years, remains unused shall be deemed to be abandoned. Abandoned facilities are deemed to be a nuisance. In addition to any remedies or rights it has at law or in equity the Village may, at its option:
 - (1) abate the nuisance,
 - (2) take possession of the facilities, or
 - (3) require removal of the facilities by the utility, or its successor in interest.
- (3) Public Utilities. This section shall not apply to a public utility, as defined by Section 196.01(5), Wis. Stats, that is required to follow the provisions of Section 196.81, Wis. Stats.

¹² Added through Ordinance 2-2014, adopted on September 8, 2014.

¹³ Added through Ordinance 5-2005, adopted on September 12, 2005. See minutes of the Village Board, Vol. 17, page 1405.